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(Article on Page A4)

Computer Sciences confirmed it is open to a potential sale or merger with another company after officially rejecting CA's hostile \$9.18-billion offer.

(Article on Page B5)

Open Market is set to announce it has won three patents on technologies for Internet commerce and marketing, including one for on-line payment.

(Article on Page B6)

Glaxo and SmithKline will meet with big institutional investors who say they will urge both companies to return to the negotiating table.

(Article on Page A15)

Corning will sell its housewares unit to KKR's Borden for about \$583 million, as well as debt assumption.

(Article on Page B8)

UPS reported a 42% jump in fourth-quarter earnings, buoyed by a rapid recovery from the Teamsters strike and improved operations in Europe.

(Article on Page A4)

Marcus Cable is putting itself up for sale. Marcus, the largest closely held cable-TV company in the U.S., hopes to fetch about \$3 billion.

(Article on Page B8)

Markets—

Stocks: Volume 590,660,110 shares. Dow Jones Industrials 8550.45, up 4.73; transportation 3374.13, up 9.21; utilities 271.69, unchanged.

Bonds (preliminary): Lehman Brothers Treasury index 7696.81, off 47.24.

Commodities: Oil \$15.33 a barrel, off ten cents. Dow Jones futures index 141.74, up 0.57; spot index 131.13, up 1.13.

Dollar: 125.53 yen, off 0.55; 1.8146 marks, off 0.0009.

Open Market Inc. Says It Will Receive Patents for Internet-Commerce Software

By JON G. AUERBACH

Staff Reporter of THE WALL STREET JOURNAL

Software maker Open Market Inc. plans to announce today it has won three patents covering widely used technologies for Internet commerce and marketing and it will seek licensing fees from companies using them, company officials say.

The most significant patent — which Open Market says it has been told by the U.S. Patent Office it will receive today — covers current Internet technologies that let people pay for goods on-line and receive instant credit-card verification, Open Market executives say.

A Patent Office spokesman said the office doesn't comment on possible patents, but confirmed its new patent announcements are made on Tuesdays.

The company declined to name which companies currently use the technologies, but many Internet vendors, including bookseller Amazon.com Inc., L.L. Bean Inc. and music seller CDnow Inc., have begun offering instant credit-card verification for on-line shoppers. The companies couldn't be reached for comment.

Two other patents, which have already been issued to Open Market, cover the use of Internet "shopping carts," which let Internet users gather goods in a digital cart before they pay for them, and a technology that tracks the actions of visitors to an Internet site, a widely used marketing tool.

Gary Eichhorn, chief executive of Open Market, of Burlington, Mass., says the patents are probably "the most critical event in the company's history." Mr. Eichhorn says he expects the patents will force companies either to pay licensing fees or buy Open Market's software. "We will defend our intellectual property," he said.

The patents could energize Open Market, which has been hampered by its relatively small size as it tries to sell Internet commerce software in competition with Microsoft Corp., Netscape Communications Corp. and others. Open Market, launched in the early 1990s, reported revenue of \$61.3 million and a loss of \$58 million in 1997. In Nasdaq Stock Market trading yesterday, its shares closed down 75 cents at \$15.75.

But an aggressive patent play also risks angering competitors, many of which have even larger patent portfolios. In the rapidly changing software world, patents quickly can be overtaken by emerging new technologies. In addition, patent-infringement lawsuits are costly and often take years to resolve.

The technologies covered by the patents are incorporated in Open Market's Internet commerce software, called Transact, which sells for between \$125,000 and \$1 million or more. Open Market said companies using Transact on their Web sites include Time Warner Inc., Walt Disney Co. and Tribune Co. The product is also used by AT&T Corp., France Telecom and Japan's Nippon Telegraph & Telecom Corp., all of which sell business customers Internet commerce systems.

Although Open Market claims its patents are widely violated, it says it hasn't notified any alleged offenders. Instead, Open Market says it plans to take the unusual course of posting the patents on its Internet home page so that potential violators can voluntarily turn themselves in. Open Market does plan to contact some companies directly and suggest possible licensing deals, officials say.

Mr. Eichhorn says Open Market was granted the broad patents because it was one of the first companies to realize the significance of Internet commerce. The company filed its patent application for secure Internet payment in late 1993, before the Internet emerged as a widely used computer network. Much of the research behind the patents was done by Open Market co-founder David Gifford, a professor of computer science at the Massachusetts Institute of Technology.

Gerber Scientific Buys Coburn

SOUTH WINDSOR, Conn.—Gerber Scientific Inc. said it acquired closely held Coburn Optical Industries Inc. for \$41.5 million in cash and the repayment of \$21.5 million in debt.

Gerber Scientific said Coburn, of Tulsa, Okla., makes eyeglass-lens processing equipment and has distribution facilities in Western Europe and Asia, as well as distribution partnerships in South America.

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